

REMARKS

Claims 13, and 15-20 are pending. Claims 13, and 15-20 have been amended. Claim 14 has been cancelled. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the October 7, 2005 Office Action, the Examiner rejected claims 13-20 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement based on the phrase "continuously calculated amount" in the claims. Applicant understands the Examiner's point that the "the signal is intermittently provided/calculated because there is a time period in which no calculation is performed, rather a calculated value is held."

Applicant does not necessarily agree with the Examiner's interpretation of the phrase "continuously calculated amount". However, in the interest of expediting the prosecution of the application, Applicant has amended claims 13, and 15-20 to recite "repeatedly calculated amount". Applicant believes that this phrase is supported by the specification including the figures. Applicant also believes that amended claims 13, and 15-20 reciting "repeatedly calculated amount" distinguish over the references of record.

Applicant has cancelled independent claim 14 in response to the Examiner's concern regarding duplicate apparatus claims. Applicant has reviewed the remaining pending independent apparatus claims and believes that each claim is patentably distinct. Specifically, claims 15, 18, and 20 recite "a storage circuit" that is not found in claim 16. Claims 15 and 16 recite that "pit forming efficiencies of the inner and outer circumference sides of the track relative to the light beam are balanced", and claims 18 and 20 do not. Claims 18 and 20 recite that "a tendency towards formation of a pit on

an inner circumference side of the track due to heat remaining in an adjacent inner circumference track is minimized and the pit is accurately formed on the center line of the track, wherein the optical disk is a write-once optical disk", and claims 15 and 16 do not. Claim 16 recites "a sample and hold circuit" not found in claims 15, 18, and 20. Claim 20 recites "the optical disk is a write-once optical disk", and claims 15, 16, and 18 do not.

Applicant believes that the foregoing amendment and remarks place the application in condition for allowance, and a favorable action is respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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